

NOTICE OF INTENT TO REISSUE A CORRECTIVE ACTION PERMIT TO ASHLAND DISTRIBUTION COMPANY AND TO APPROVE CORRECTIVE ACTION REMEDIES

The Tennessee Department of Environment and Conservation's (TDEC) Division of Solid Waste Management (DSWM) proposes to reissue a corrective action permit to Ashland Distribution Company (Ashland) that would allow the facility to implement final corrective action remedies. This action follows the pre-application public meeting conducted by the facility on May 10, 2000 as required by Tennessee Rule 1200-1-11-.07(2)(c)3(i). No members of the community attended the public meeting.

Ashland, EPA ID Number: TND 04 931 9644, located at 2351 Channel Avenue in Memphis, Shelby County, TN 38106, is currently permitted under Tennessee Permit Number TNHW-049. The original Hazardous Waste Storage Permit was issued on October 1, 1990. The current permit was effective for ten years. As of December 27, 1999, the storage portion of the Hazardous Waste Container Storage Permit was terminated upon closure of the unit. However, the requirements for corrective action remained in effect. Ashland submitted a Part A and Part B Application to DSWM for renewal of the facility's corrective action permit on April 28, 2000, thus enabling the facility to continue to perform corrective action under the current permit until a final decision is made. The proposed permit is for the implementation of final remedies for all the Solid Waste Management Units (SWMUs) and Areas of Concern (AOC's) that require corrective measures. A Fact Sheet has been prepared that summarizes the draft permit requirements.

The [Fact Sheet](#) includes a [Statement of Basis](#) (SB) that recommends remedies for those releases identified during the corrective action process and is designed to facilitate public participation in the remedy selection process. The SB summarizes the nature and extent of the contamination, the potential risks to human health and the environment, and the remedy to be implemented. The permit proposes a final remedy that requires Ashland to maintain institutional controls for residual soil contamination at three SWMUs that were already investigated and have undergone interim corrective measures for soil and groundwater contamination. Additionally, the permit requires Ashland to perform site-wide groundwater monitoring. The groundwater cleanup standard was established to be protective of Harbor Channel, the surface water body into which the groundwater discharges. In addition to corrective action, under the conditions of this permit, Ashland will also be required to notify of imminent hazards; and as applicable, comply with the requirements developed under land disposal restrictions and organic air emission standards. If issued, the permit will be valid for 10 years.

The permit is proposed to be reissued under the authority of the Tennessee Hazardous Waste Management Act of 1977, as amended, Tennessee Code Annotated, Section 68-212-101 et seq., and Rule Chapter 1200-1-11, Hazardous Waste Management.

Copies of Ashland's application, draft permit, fact sheet, statement of basis, and public notice are available for public inspection at the South Branch Library, 1929 South Third Street, Memphis, TN (901-946-8518). These materials are also available for public inspection during normal business hours, 8:00 a.m. to 4:30 p.m., Monday through Friday, except legal holidays, at the TDEC Memphis Environmental Field Office, Public Access Area, 2500 Mt. Moriah, Suite E-645, Perimeter Park, Memphis, TN. 37921 (901-368-7939).

Any interested person may submit written comments on DSWM's proposal or request a public hearing by contacting: Mr. Roger Donovan; Corrective Action Section; Division of Solid Waste Management; TDEC; 5th Floor, L & C Tower; 401 Church Street; Nashville, TN 37243-1535; telephone 615-532-0864; or e-mail to Roger.Donovan@state.tn.us. The comments or request

for a public hearing must be received by 4:30 p.m., Friday, November 9, 2007, to assure consideration. After considering all public comments received, the DSWM Director will issue a final permit decision and a Response to Comments.

TDEC is committed to principles of equal opportunity, equal access, and affirmative action. Contact the EEO/AA Coordinator at 1-888-867-7455 or the ADA Coordinator at 1-866-253-5827 for further information. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).

Persons who wish to be on DSWM's mailing list should request a Mailing List Request form by calling or writing: Public Participation Officer; Division of Solid Waste Management; TDEC; 5th Floor, L & C Tower; 401 Church Street; Nashville, TN 37243-1535 (615-532-0798); or e-mail Solid.Waste@state.tn.us.

NOTICE ISSUED: September 25, 2007